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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

FILED

UNITED STATES OF AMERICA,

Plaintiff,

v.

Hector OROZCO-Gonzalez,

Defendant

Magistrate Docket No. 07 NOV 28 AM 9:27

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

07 NOV 27 61

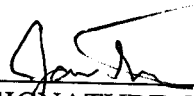
COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326  
Deported Alien Found in the  
United States


The undersigned complainant, being duly sworn, states:

On or about **November 27, 2007** within the Southern District of California, defendant, **Hector OROZCO-Gonzalez**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

  
\_\_\_\_\_  
SIGNATURE OF COMPLAINANT  
James Trombley  
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 28<sup>th</sup> DAY OF NOVEMBER,  
2007

  
\_\_\_\_\_  
Anthony J. Battaglia  
UNITED STATES MAGISTRATE JUDGE

### PROBABLE CAUSE STATEMENT

Agents assigned to the San Diego Sector, Smuggling Interdiction Group, Criminal Alien Squad (SIG/CAS) utilize various sources to locate and arrest previously deported criminal aliens who have returned to the United States in violation of the Immigration and Nationality Act.

On November 27, 2007, at approximately 11:00 a.m. Agents Soto, Blas and Cacho were performing surveillance on the 500 block of California Avenue, in Vista, California, when an individual matching the physical description of the defendant identified as **Hector OROZCO-Gonzalez**, came out of the residence being watched. Agent Soto, Blas and Cacho approached the defendant and identified themselves as United States Border Patrol Agents and questioned the individual as to his identity. The defendant responded that he was in fact Hector OROZCO-Gonzalez. Agent Soto questioned the defendant as to his citizenship and immigration status. The defendant stated that he was born in Mexico and did not have any documents to remain in the United States. The defendant was arrested and transported to the Chula Vista Border Patrol Station in San Ysidro, California for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico on February 12, 2007 through San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was read his Miranda rights, which he acknowledged and was willing to make a statement without an attorney present. The defendant stated that he was a citizen and national of Mexico without valid immigration documents to enter or remain within the United States legally. The defendant further stated that he has been previously deported and has never applied for permission to re-enter the United States prior to his entry.